

ORDINANCE NO. 0-20-97

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 1.6192 ACRES LOCATED ON THE WESTERLY SIDE OF HOPEFUL ROAD, ADJACENT TO THE CITY LIMITS. (DECASTRO TRUST PROPERTY)

WHEREAS, Bruce A. Krone, Trustee of the Patrick Decastro Trust, being the owner of record of the hereinafter described territory (the "territory"), has requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owner has given written consent to such annexation; and

WHEREAS, the City has determined that it is desirable to annex the territory which is contiguous to the boundaries of the City, and

WHEREAS, pursuant to K.R.S. 100.209(1) the City makes the election that after annexation the territory shall remain subject to the same land use restrictions as applied to it prior to annexation until such restrictions are changed in accordance with K.R.S. Chapter 100.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- (a.) Is contiguous to the boundaries of the City, and
- (b.) Is urban in character and suitable for development for urban purposes without unreasonable delay, and
- (c.) Is not included within the boundary of another incorporated city.

SECTION II

That the territory, described in Exhibit "A" and shown on Exhibit "B" each of which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

SECTION III

The owners of record of the territory have filed with the City written consent to this annexation under K.R.S. 81A.412 and therefore, the following do not apply to this annexation: (a) the notification ordinance required by K.R.S. 81A. 420(1); (b) the notice requirement of K.R.S. 81A.425; and (c) the waiting period of K.R.S. 81A.420(2).

SECTION IV

Pursuant to K.R.S. 100.209(1) the territory shall, after annexation, remain subject to the same land use restrictions as applied to it prior to annexation, until those restrictions are changed in accordance with K.R.S. Chapter 100.

SECTION V

This ordinance shall be published in full.

PASSED AND APPROVED ON FIRST READING THIS 14th DAY OF October 1997.
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 28th DAY OF October, 1997.

APPROVED:

Erlynn M. Kell
MAYOR

ATTEST:

Patricia Conrad
CITY CLERK

RECEIVED

NOV 4 1997

SECRETARY OF STATE
COMMONWEALTH OF KY

LEGAL DESCRIPTION

**Annexation of the Remainder of Ashcraft Subdivision
Boone County, Kentucky
1.6192 Acre (70,532 Sq Ft.)**

A certain tract of land being all of the Lot 1, 2, & 3 of the Ashcraft Subdivision and all of the existing Right of Way of Ashcraft Drive off of Hopeful Road, County of Boone, Commonwealth of Kentucky and being more particularly described as follows:

- Beginning** at the recovered Right of Way monument on the Westerly Right of Way of Hopeful Road; said monument being on the Southerly property line of Toyota Towne;
- Thence** continuing with said Right of Way S 40-10-52 W for a distance of 94.65 feet to a recovered R/W monument;
- Thence** continuing with said Right of Way S 40-10-52 W for a distance of 60.10 feet to a set iron pin and cap; said point being the Southeasterly property corner of Catherine Martin DB 86 Pg 172;
- Thence** leaving said Right of Way of Hopeful Road and continuing with the Easterly property line of Martin N 50-58-47 W for a distance of 585.73 feet to a set iron pin; said point being on the common property line of Pond Realty Co., (DB 384 Pg 244);
- Thence** continuing with said common line to Pond Inc., N 31-29-13 E for a distance of 103.39 feet to a point; said point being on the common line to Krone (Toyota Towne) DB 506 PG 190;
- Thence** leaving said common line to Pond Inc and continuing with said common line to Krone S 50-58-47 E for a distance of 120.56 feet to a point; said point being on the Right of Way of Ashcraft Drive;
- Thence** continuing with the R/W following an arc of a circular curve to the left, said curve having a central deflection angle of 127-25-41, a radius of 35.00 feet, an arc length of 77.84 feet, a chord length of 62.76 feet and a chord bearing of S 77-15-57 East;
- Thence** continuing with the R/W following an arc of a circular curve to the right, said curve having a central deflection angle of 37-25-41, a radius of 50.00 feet, an arc length of 32.66 feet, a chord length of 32.08 feet and a chord bearing of S 32-15-57 East;
- Thence** continuing with the said Right of Way N 50-58-47 W for a distance of 365.47 feet to a point;
- Thence** continuing with the Right of Way N 79-36-25 E; said point being the Point of Beginning;

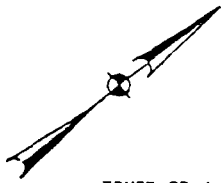
Said Tract contains 1.6192 Acres (70,532 Sq Ft) and being subject to all easements and deed restrictions of record and to the Regulations of the Boone County Planning and Zoning Commission.

Exhibit "A"

LANDS OF
POND REALTY CO., INC.
D.B. 384 PG. 244

ZONED SR-2

SET
IRON PIN
& CAP



ZONED SR-1

TOTAL AREA
1.6192 Ac.
(70,532 Sq. Ft.)

VICINITY MAP

LANDS OF
CATHERINE MARTIN
D.B. 86 PG. 172

LAND SURVEYOR'S CERTIFICATE

"I, DAVID E. ESTES, A REGISTERED LAND SURVEYOR IN THE STATE OF KENTUCKY, DO HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT ACCURATELY AND PROPERLY SHOWS SAID SURVEY."

DAVID E. ESTES KY LS#2316 DATE

ASHCRAFT SUBDIVISION
P.B. 4 PG. 38
P.B. 2 PG. 52

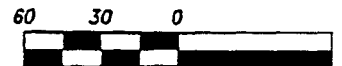
LANDS OF
PAUL KRONE TRUSTEE
D.B. 506 PG. 190

* CURVE DATA *

CURVE "A"	CURVE "B"	CURVE "C"	CURVE "D"
Δ 127°25'41" R	Δ 37°25'41" L	Δ 37°25'41" L	Δ 254°51'22" R
R 35.00'	50.00'	50.00'	35.00'
L 77.84'	32.66'	32.66'	155.88'
LC 62.76'	32.08'	32.08'	55.59'
BLC S77°15'57"E	S32°15'57"E	N69°41'37"W	N39°01'13"E

ZONED C3

ZONED C3



GRAPHIC SCALE 1" = 60' 60

SET
IRON PIN
& CAP

REC'D
R/W MON.

REC'D
R/W MON.

HOPEFULL ROAD

TO KY. 18

GROUP NO.'S 620 & 345

Drawn By:
G.BARKER

Date:
JULY 18, 97

Scale:
1" = 60'

File No.
300-390

ANNEX & VACATION PLAT
OF ASHCRAFT SUBDIVISION
BOONE COUNTY, KENTUCKY



David E. Estes
Engineering, Inc.
CIVIL & ENVIRONMENTAL ENGINEERING
HYDROGEOLOGY - LAND SURVEYING
7075 INDUSTRIAL ROAD, FLORENCE, KENTUCKY 41042
TELEPHONE (606) 342-6100

FILE 3390V.DWG

Exhibit "B"